

JUDGE FRANK MONTALVO

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

FILED

2022 SEP -9 PM 2:50

CLERK, US DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY JK DEPUTY

ERIK SALAIZ,

Plaintiff,

v.

**WELCOME TECH, INC., d/b/a SABER
ES PODER a Delaware Corporation**

Defendants.

EP 22 CV 0318

PLAINTIFF'S ORIGINAL COMPLAINT

PARTIES

1. The Plaintiff is ERIK SALAIZ ("Plaintiff") a natural person, resident of the Western District of Texas, and was present in Texas for all automated text messages, in this case in El Paso County, Texas.
2. Defendant WELCOME TECH, INC., d/b/a SABER ES PODER ("Welcome Tech" "Defendant") is a Delaware corporation organized and existing under the laws of Delaware with its principal address at 12121 Wilshire Blvd, Suite 1201, Los Angeles, CA 90025 and can be served via chief executive officer and registered agent of Welcome Tech, Inc., Amir Hemmat at 12331 Dorothy Street Los Angeles, CA 90049 or 12121 Wilshire Blvd, Suite 1201, Los Angeles, CA 90025.

JURISDICTION AND VENUE

3. Jurisdiction. This Court has federal-question subject matter jurisdiction over Plaintiff's

TCPA claims pursuant to 28 U.S.C. § 1331 because the TCPA is a federal statute. *Mims v. Arrow Fin. Servs., LLC*, 565 U.S. 368, 372 (2012). This Court has supplemental subject matter jurisdiction over Plaintiff’s claim arising under Texas Business and Commerce Code 305.053 because that claim arises from the same nucleus of operative fact, i.e., Defendants’ automated text messages to Plaintiff; adds little complexity to the case.

4. Personal Jurisdiction. This Court has general personal jurisdiction over the Defendant Welcome Tech because they have repeatedly placed automated text messages to Texas residents, derive revenue from Texas businesses, and they solicit Defendant Welcome Tech’s “digital bank account services” to Texas residents, including the Plaintiff.

5. Venue. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b)(1)-(2) because a substantial part of the events giving rise to the claims—the automated text messages soliciting Defendant Welcome Tech’s “digital bank account services” were directed at Texas residents, including the Plaintiff—occurred in this District and because the Plaintiff resides in this District. Residing in the Western District of Texas when Plaintiff received a substantial if not every single automated text message from the Defendant Welcome Tech that are the subject matter of this lawsuit.

6. This Court has venue over the Defendant Welcome Tech because the automated text messages at issue were sent by the above-named Defendant to the Plaintiff, a Texas resident.

THE TELEPHONE CONSUMER PROTECTION ACT

OF 1991, 47 U.S.C. § 227

7. In 1991, Congress enacted the TCPA to restrict the use of sophisticated telemarketing equipment that could target millions of consumers *en masse*. Congress found that these calls

were not only a nuisance and an invasion of privacy to consumers specifically but were also a threat to interstate commerce generally. *See S. Rep. No. 102-178*, at 2-3 (1991), as reprinted in 1991 U.S.C.C.A.N. 1968, 1969-71.

8. The TCPA makes it unlawful “to make any call (other than a call made for emergency purposes or made with the prior express consent of the called party) using an automatic telephone dialing system (‘ATDS’) or an artificial or prerecorded voice … to any telephone number assigned to a … cellular telephone service.” 47 U.S.C. § 227(b)(1)(A)(iii).

9. The TCPA makes it unlawful “to initiate any telephone call to any residential telephone line using an artificial or prerecorded voice to deliver a message without the prior express consent of the called party, unless the call is initiated for emergency purposes, is made solely pursuant to the collection of a debt owed to or guaranteed by the United States or is exempted by rule or order” of the Federal Communication Commission (“FCC”). 47 U.S.C. § 227(b)(1)(B).

10. The TCPA provides a private cause of action to persons who receive calls in violation of § 227(b). 47 U.S.C. § 227(b)(3).

11. Separately, the TCPA bans telemarketing calls without a do-not-call policy available upon demand. 47 U.S.C. § 227(c); 47 C.F.R. § 64.1200(d)(1).¹

12. The TCPA provides a private cause of action to persons who receive calls in violation of § 227(c) or a regulation promulgated thereunder. 47 U.S.C. § 227(c)(5).

13. According to findings of the FCC, the agency vested by Congress with authority to issue regulations implementing the TCPA, automated or prerecorded telephone calls are a greater nuisance and invasion of privacy than live solicitation calls and can be costly and inconvenient.

¹ See Code of Federal Regulations, Title 47, Parts 40 to 60, at 425 (2017) (codifying a June 26, 2003 FCC order).

14. The FCC also recognizes that “wireless customers are charged for incoming calls whether they pay in advance or after the minutes are used.” *In re Rules and Regulations Implementing the Tel. Consumer Prot. Act of 1991*, 18 FCC Rcd. 14014, 14115 ¶ 165 (2003).

15. The FCC requires “prior express written consent” for all autodialed or prerecorded telemarketing robocalls to wireless numbers and residential lines. In particular: [A] consumer’s written consent to receive telemarketing robocalls must be signed and be sufficient to show that the consumer: (1) received clear and conspicuous disclosure of the consequences of providing the requested consent, *i.e.*, that the consumer will receive future calls that deliver prerecorded messages by or on behalf of a specific seller; and (2) having received this information, agrees unambiguously to receive such calls at a telephone number the consumer designates. In addition, the written agreement must be obtained without requiring, directly or indirectly, that the agreement be executed as a condition of purchasing any good or service.

16. *In the Matter of Rules & Regulations Implementing the Tel. Consumer Prot. Act of 1991*, 27 FCC Rcd. 1830, 1844 ¶ 33 (2012) (footnote and internal quotation marks omitted). FCC regulations “generally establish that the party on whose behalf a solicitation is made bears ultimate responsibility for any violations.” *In the Matter of Rules and Regulations Implementing the Tel. Consumer Prot. Act of 1991*, 10 FCC Rcd. 12391, 12397 ¶ 13 (1995).

17. The FCC confirmed this principle in 2013, when it explained that “a seller … may be held vicariously liable under federal common law principles of agency for violations of either section 227(b) or section 227(c) that are committed by third-party telemarketers.” *In the Matter of the Joint Petition Filed by Dish Network, LLC*, 28 FCC Rcd. 6574, 6574 ¶ 1 (2013).

18. Under the TCPA, a text message is a call. *Satterfield v. Simon & Schuster, Inc.*, 569 F.3d 946, 951 – 52 (9th Cir. 2009).

19. A corporate officer involved in the telemarketing at issue may be personally liable under the TCPA. *E.g., Jackson Five Star Catering, Inc. v. Beason*, Case No. 10-10010, 2013 U.S. Dist. LEXIS 159985, at *10 (E.D. Mich. Nov. 8, 2013) (“[M]any courts have held that corporate actors can be individually liable for violating the TCPA where they had direct, personal participation in or personally authorized the conduct found to have violated the statute.” (internal quotation marks omitted)); *Maryland v. Universal Elections*, 787 F. Supp. 2d 408, 415 – 16 (D. Md. 2011) (“If an individual acting on behalf of a corporation could avoid individual liability, the TCPA would lose much of its force.”).

OVERVIEW OF THE TEXT MESSAGING MARKETING INDUSTRY

20. In recent years, marketers who often have felt stymied by federal laws limiting solicitation by telephone, facsimile machine, and email have increasingly looked to alternative technologies through which to send bulk solicitations cheaply.

21. One of the newest types of such marketing is to advertise through Short Message Services. The term “Short Message Service” or “SMS” describes a messaging system that allows cellular telephone subscribers to use their cellular telephones to send and receive short text messages, usually limited to 120-500 characters.

22. An “SMS message” is a text directed to a wireless device. When an SMS message call is successfully made, the recipient’s cell phone rings, alerting him or her that a call is being received.

23. The open rate for SMS messages exceeds 99%, and 90% of those messages are read within three minutes. Conversely, the open rate for an email in the finance industry is 21.56%.

24. Unlike more conventional advertisements, SMS calls, and particularly wireless or mobile spam can actually cost their recipients money, because cell phone users must frequently pay their

respective wireless service providers either for each text message or call they receive or incur a usage allocation deduction to their text plan, regardless of whether or not the message is authorized.

25. Most commercial SMS messages are sent from “short codes” (also known as “short numbers”), which are special cellular telephone exchanges, typically only five or six-digit extensions, that can be used to address SMS messages to mobile phones. Short codes are generally easier to remember and are utilized by consumers to subscribe to such services as television program voting or more benevolent uses, such as making charitable donations.

26. A short code is sent to consumers along with the actual text message and conclusively reveals the originator of the SMS message.

27. Text messages are “calls” within the context of the TCPA. *Satterfield v. Simon & Schuster, Inc.*, 569 F.3d 949 (9th Cir. 2009).

FACTUAL ALLEGATIONS

28. Plaintiff’s personal cell phone (XXX) XXX-0898 has been registered on the National Do-Not-Call Registry since August 19, 2021.

29. Plaintiff never asked the National Do-Not-Call Registry administrator to remove him from the National Do-Not-Call Registry and Plaintiff was on the National Do-Not-Call Registry at all times relevant to this Complaint.

30. Defendant Welcome Tech offers digital bank account services to consumers, specifically to Latinos. *See Exhibit A.*

31. As part of their marketing their services Defendant Welcome Tech sends illegal automated text messages to thousands of consumers *en masse* using an automatic telephone dialing system (“ATDS”) that has the capacity to store and produce telephone numbers using a

random or sequential number generator to solicit Defendant Welcome Tech's digital bank account services.

32. Defendant Welcome Tech is well aware that the text messages being made soliciting their digital bank account services violate the TCPA.

33. Plaintiff received at least twenty-seven (27) illegal automated text messages to his personal cell phone ending in 0898 from January 26, 2022, to September 8, 2022, from Defendant Welcome Tech soliciting their digital bank account services ("the text messages").

See Exhibit B.

34. The text messages Plaintiff received from Defendant Welcome Tech were generated using an ATDS that has the capacity to store and produce telephone numbers using a random or sequential number generator.

35. Plaintiff does not have any prior existing business relationships with Defendant Welcome Tech. Plaintiff has never been a customer of Defendant Welcome Tech.

36. Plaintiff did not give Defendant Welcome Tech his prior express written consent to receive the text messages.

37. The links on the text messages directed Plaintiff to Defendant Welcome Tech's website they own and control <https://saberespoder.com/en> where Plaintiff discovered Defendant Welcome Tech's information under their "privacy policy." *See Exhibit C.*

38. Plaintiff searched the California Secretary of State website and found Defendant Welcome Tech is doing business as Saber es Poder <https://bizfileonline.sos.ca.gov/search/business> and revealed the company responsible for the text messages. *See Exhibit D.*

39. The text messages Plaintiff received from Defendant Welcome Tech has caused Plaintiff

actual harm. This includes the aggravation, nuisance, and invasions of privacy that result from the placement of such text messages, in addition, to wear and tear on his phone, interference with the use of his phone, and consumption of battery life.

40. The text messages Plaintiff received from Defendant Welcome Tech do not address Plaintiff by name.

41. Table below displays the automated text messages made to Plaintiff by Defendant Welcome Tech:

<u>Number</u>	<u>Date</u>	<u>Time</u>	<u>Caller ID</u>	<u>Notes</u>
1.	01/26/2022	05:09 PM	52749	Automated text message
2.	01/29/2022	11:09 AM	52749	Automated text message
3.	02/01/2022	04:07 PM	52749	Automated text message
4.	02/02/2022	03:28 PM	72237	Automated text message
5.	02/04/2022	12:12 PM	52749	Automated text message
6.	02/05/2022	01:16 PM	72237	Automated text message
7.	02/10/2022	04:29 PM	72237	Automated text message

8.	04/12/2022	12:36 PM	52749	Automated text message
9.	04/15/2022	05:08 PM	52749	Automated text message
10.	05/02/2022	11:08 AM	52749	Automated text message
11.	05/05/2022	04:20 PM	52749	Automated text message
12.	05/08/2022	02:08 PM	52749	Automated text message
13.	05/11/2022	05:20 PM	52749	Automated text message
14.	05/11/2022	06:46 PM	72237	Automated text message
15.	05/12/2022	05:27 PM	72237	Automated text message
16.	05/13/2022	10:37 AM	72237	Automated text message
17.	05/27/2022	04:05 PM	52749	Automated text message
18.	06/20/2022	04:35 PM	52749	Automated text message
19.	06/21/2022	10:13 AM	52749	Automated text message

20.	06/22/2022	06:07 PM	52749	Automated text message
21.	06/23/2022	01:53 PM	52749	Automated text message
22.	06/25/2022	10:36 AM	52749	Automated text message
23.	08/29/2022	02:40 PM	52749	Automated text message
24.	08/30/2022	12:39 PM	52749	Automated text message
25.	08/31/2022	04:07 PM	52749	Automated text message
26.	09/03/2022	12:07 PM	52749	Automated text message
27.	09/8/2022	1:36 PM	52749	Automated text message

42. Each of the text messages came from 52749 or 72237.

43. The text messages Plaintiff received from Defendant Welcome Tech were placed while knowingly ignoring the national do-not-call registry. The text messages were placed without Defendant Welcome Tech training their agents/employees on the use of an internal do-not-call policy.

44. Plaintiff sent a request for Defendant Welcome Tech's internal do not call policy on September 9, 2022, to info@saberespoder.com which is an email listed on their "privacy policy."

45. Defendant Welcome Tech failed and/or refused to send Plaintiff a copy of any internal do not call policy.

46. On information and belief, Defendant Welcome Tech did not have a written do-not-call policy while they were sending Mr. Salaiz the text messages.

47. No emergency necessitated none of the text messages.

48. Plaintiff has limited data storage capacity on his cellular telephone. Incoming telemarketing text messages consumed part of this capacity.

INJURY, HARM, DAMAGES, and ACTUAL DAMAGES

AS A RESULT OF THE CALLS

49. Defendants' automated text messages harmed Plaintiff by causing the very harm that Congress sought to prevent—a “nuisance and invasion of privacy.”

50. Defendants' automated text messages harmed Plaintiff by trespassing upon and interfering with Plaintiff's rights and interests in Plaintiff's cellular telephone.

51. Defendants' automated text messages harmed Plaintiff by intruding upon Plaintiff's seclusion.

52. Plaintiff has been harmed, injured, and damaged by the text messages including, but not limited to: reduced device storage, reduced data plan usage, anger, frustration, invasion of privacy, and more frequent charging of his cell phone.

The Plaintiff's cell phone is a residential number

53. The text messages were to Plaintiff's cellular phone ending in 0898 which is Plaintiff's personal cell phone that he uses for personal, family, and household use. Plaintiff also uses his cell phone for navigation purposes, sending and receiving emails, timing food when cooking, and sending and receiving text messages. Plaintiff further has his cell phone registered in his personal

name, pays the cell phone from his personal accounts, and the phone is not primarily used for any business purpose.

CAUSES OF ACTION:

COUNT ONE:

Violations of the TCPA, 47 U.S.C. § 227(b)(1)(A)(iii), by Automated Telemarketing Without Prior Express Written Consent

54. Plaintiff realleges and incorporates by reference each and every allegation set forth in the preceding paragraphs.

55. Defendant and/or their affiliates or agents violated the TCPA, 47 U.S.C. § 227(b)(1)(A)(iii), at least twenty-seven (27) times by placing non-emergency telemarketing text messages to Plaintiff's cellular telephone number using an automatic telephone dialing system without prior express written consent.

56. Plaintiff was statutorily damaged at least twenty-seven (27) times under 47 U.S.C. § 227(b)(3)(B) by Defendant by the text messages described above, in the amount of \$500.00 per automated text message.

57. Plaintiff was further statutorily damaged because Defendant willfully or knowingly violated this subsection of the TCPA. Plaintiff requests that the court treble the damage amount to \$1,500.00 as permitted under U.S.C. § 227(b)(3)(C) for each and every willful and/or knowing violation.

58. Plaintiff is also entitled to and does seek an injunction prohibiting Defendant and their affiliates and agents from violating the TCPA, 47 U.S.C. § 227(b)(1)(A)(iii), by placing non-emergency telemarketing text messages to any cellular telephone number using an ATDS and/or without prior express written consent.

COUNT TWO:

(Violation of the TCPA “Sales Call/DNC” Prohibition, 47 U.S.C. 227(c), and 47 C.F.R. § 64.1200(C))

59. Plaintiff realleges and incorporates by reference each and every allegation set forth in the preceding paragraphs.

60. Defendant sent automated text messages to Plaintiff’s private residential telephone number which was successfully registered on the National Do-Not-Call Registry more than thirty-one (31) days prior to the text messages for the purposes of commercial solicitation, in violation of 47 U.S.C. § 227(c)(3)(F), and 47 C.F.R. § 64.1200(c)(2).

61. Plaintiff was statutorily damaged at least twenty-seven (27) times under 47 U.S.C. § 227(c)(3)(F) by Defendant by the telemarketing text messages described above, in the amount of \$500.00 per call.

62. Plaintiff was further statutorily damaged because Defendant willfully and/ or knowingly violated this subsection of the TCPA. Plaintiff requests that the court treble the damage amount as permitted under U.S.C. § 227(c)(5) for each and every willful and/or knowing violation.

63. Plaintiff is entitled to an award up to \$1,500 in damages for each knowing or willful violation of 47 U.S.C. § 227(c)(3)(F).

COUNT THREE:

**Telemarketing Without Mandated Safeguards, 47 C.F.R. § 64.1200(d)
(Against All Defendants)**

64. Plaintiff incorporates the forgoing allegations as if fully set forth herein.

65. The foregoing acts and omissions of Defendant and/or their affiliates or agents constitute multiple violations of FCC regulations by making telemarketing solicitations despite lacking the following:

- a. A written policy, available upon demand, for maintaining a do-not-call list, in violation of 47 C.F.R. § 64.1200(d)(1)²;
- b. Training for the individuals involved in the telemarketing on the existence of and use of a do-not-call list, in violation of 47 C.F.R. § 64.1200(d)(2)³; and,
- c. In the solicitations, the name of the individual caller and the name of the person or entity on whose behalf the call is being made, in violation of 47 C.F.R. § 64.1200(d)(4).⁴

66. Plaintiff is entitled to an award of at least \$500 in damages for each such violation. 47 U.S.C. § 227(c)(5)(B).

67. Plaintiff is entitled to an award of up to \$1,500 in damages for each such knowing or willful violation. 47 U.S.C. § 227(c)(5).

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Erik Salaiz prays for judgment against the Defendant jointly and severally as follows:

- A. Leave to amend this Complaint to name additional DOESs as they are identified and to conform to the evidence presented at trial;

² See *id.* at 425 (codifying a June 26, 2003 FCC order).

³ See *id.* at 425 (codifying a June 26, 2003 FCC order).

⁴ See *id.* at 425 (codifying a June 26, 2003 FCC order

- B. A declaration that actions complained of herein by Defendant violate the TCPA law;
- C. An award of \$1500 per text message in statutory damages arising from the TCPA §227(b) intentional violations jointly and severally against the corporation for twenty-seven automated text messages.
- D. An award of \$1500 per text message in statutory damages arising from the TCPA §227(c) intentional violations jointly and severally against the corporation for twenty-seven automated text messages.
- E. An award to Plaintiff of damages, as allowed by law under the TCPA;
- F. An award to Plaintiff of interest, costs and attorneys' fees, as allowed by law and equity.
- G. Such further relief as the Court deems necessary, just, and proper.

JURY DEMAND

Plaintiff requests a trial by jury of all claims that can be so tried.

September 9, 2022,

Respectfully Submitted,



Erik Salaiz
Plaintiff, Pro Se
319 Valley Fair Way
El Paso, Texas 79907
915-490-0898
Salaiz.ep@gmail.com

JUDGE FRANK MONTALVO

10:25 P

N * 76%

SABEResPODER



PODERcard takes the stress out of managing your finances

EP22CV0318

The PODERcard digital bank account offers helpful features that make managing your finances easier and more efficient. There are a number of user-friendly features, including:

1. Real-time notifications about every transaction. You can closely monitor your PODERcard account balance and manage your finances.
2. Forget about monthly maintenance fees, minimum balance requirements, or overdrafts*.
3. Make purchases online with your PODERcard, all from the comfort of your own home.
4. Pay your bills (electricity, gas, etc...) using PODERcard's Bill Pay.
5. Transfer money to friends and loved ones almost instantly.
6. Get your paycheck up to two days in advance with ASAP Direct Deposit™**.
7. Protect your PODERcard account with the ability to lock and unlock your card from the mobile app.

Best of all, if you're unsure about any aspect of your PODERcard, you can get in

III

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EXHIBIT A

10:01 P

N * 77%

SABEResPODER



Designed with you in mind

SABEResPODER's mission is to offer support and helpful information to the Latino community. For this reason, we offer a range of financial, educational, health, and legal services to benefit you and your family. Since we know your time is valuable, we only offer products that are truly worth your while.

The PODERcard bank account was created with this goal in mind. Unlike other financial services, PODERcard doesn't have hidden fees and confusing terms. Instead, we provide a user-friendly banking experience free of the usual challenges. We're proud to create a banking service that's genuine, helpful, and easy to use (see more here).

To achieve this, we've spent years researching and negotiating with a variety of potential partners. Finally, we've found the ideal match: a partner who offers affordable services and shares our values. Together, we designed PODERcard with you in mind.

Make the most of your PODERcard and don't forget to tell your friends and family about it. If your loved ones have PODERcards, you can easily send money to each other for free.

III

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EXHIBIT A

10:35 **P**

N * 80%

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Wednesday, January 26

PODERcard es la cuenta
bancaria creada para usted.
Tecnologia de vanguardia
y sin cargos mensuales.
Conozca mas <https://sep.im/vCRLAK2>

5:09 PM

Saturday, January 29

Aproveche los muchos
beneficios exclusivos de
nuestra tarjeta de debito
PODERcard. Mas de 100 mil
usuarios nos dan la razon!
<https://sep.im/wpDxn9E>

11:09 AM

Tuesday, February 1

PODERcard, cuenta
bancaria honesta y libre de
preocupaciones para Latinos.
App y tarjeta de debito Visa
gratuita. Obtenga la suya
<https://sep.im/wH0pboJ>

4:07 PM

▼

Friday, February 4



EXHIBIT B

10:36 **P**

N * 80%

< 52749 ▼

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Friday, February 4

Regale a su familia un mundo de posibilidades con PODERcard. La forma mas segura para hacer sus compras y mas <https://sep.im/xRdU7yz>

12:12 PM

Tuesday, April 12

Ahorre en costos de sus medicamentos! PODERsalud le puede ahorrar cientos de dolares al mes. Llame al 844-447-2237 o <https://sep.im/KTpUy6> para mas info.

12:36 PM

Friday, April 15

Ahorre hasta un 50 por ciento en servicios dentales como limpiezas, empastes, coronas y mas! Llame al 844-447-2237 o <https://sep.im/LC7NqAQ> para mas info.

5:08 PM

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10:36 P

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Monday, May 2

PODERcard es la cuenta
bancaria creada para usted.
Tecnologia de vanguardia
y sin cargos mensuales.
Conozca mas <https://sep.im/OCPayZm>

11:08 AM

Thursday, May 5

Aproveche los muchos
beneficios exclusivos de
nuestra tarjeta de debito
PODERcard. Mas de 100 mil
usuarios nos dan la razon!
<https://sep.im/PICREcJ>

4:20 PM

Sunday, May 8

PODERcard, cuenta
bancaria honesta y libre de
preocupaciones para Latinos.
App y tarjeta de debito Visa
gratuita. Obtenga la suya
<https://sep.im/QnJdS0s>

2:08 PM

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Wednesday, May 11

Regale a su familia un
mundo de posibilidades con
PODERcard. La forma mas
segura para hacer sus
compras y mas <https://sep.im/QBf7m26>

5:20 PM

Friday, May 27

PODERcard Credit, tarjeta
de credito que le ayudara
con el siguiente paso en
sus finanzas. Le interesa?
Unase a la lista de espera
<https://sep.im/TxKTGVw>

4:05 PM

Monday, June 20

PODERsalud: Cuidar la salud
de su familia no tiene por que
ser caro! Reduzca sus gastos
medicos con estos tips:
<https://sep.im/Y8zUOAb>

4:35 PM



Tuesday, June 21

  

 







EXHIBIT B

10:37 **P**

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Tuesday, June 21

VALENTIN, su causa es
nuestra causa. Le invitamos
a conocer mas sobre nuestra
mision: <https://sep.im/Y3sOMqk>

10:13 AM

Wednesday, June 22

Se acaba el precio
promocional de PODERsalud!
Acceda a servicios medicos
con descuento. Solo \$10.95/
mes - pronto \$16.95. Actue ya!
<https://sep.im/ZLAhKqT>

6:07 PM

Thursday, June 23

Aproveche la ultima
oportunidad de acceder a
descuentos medicos para
usted y su familia por solo
\$10.95 al mes. Inscríbase hoy!
<https://sep.im/ZX7Mbz6>

1:53 PM

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Saturday, June 25

Image icon Camera icon +

Smiley face icon Volume icon

III

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EXHIBIT B

10:37 P

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Saturday, June 25

PODERsalud: Ultimo dia
de oferta! No pierda la
oportunidad de acceder a
descuentos medicos por solo
\$10.95 - Suscribase ya!
<https://sep.im/Zls5HTg>

10:36 AM

Monday, August 29

VALENTIN, vea como
PODERsalud, puede ayudarle
y ahorrarle mas de \$2,000 al
año en servicios dentales,
medicamentos, vision y mas!
<https://sep.im/cHjqmZ2>

2:40 PM

Tuesday, August 30

No tiene seguro? Necesita
servicios medicos?
PODERsalud es el programa
de descuentos perfecto
por \$16.95/mes! <https://sep.im/cZS7dYX> o llame al
844-447-2237

12:39 PM

∨



10:38 P

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.....,.....

No tiene seguro? Necesita
servicios medicos?
PODERsalud es el programa
de descuentos perfecto
por \$16.95/mes! <https://sep.im/cZS7dYX> o llame al
844-447-2237

12:39 PM

Wednesday, August 31

VALENTIN no espere!
inscribase ahora a
PODERsalud y obtenga
la atencion medica que
necesita y merece hoy <https://sep.im/diMXnul> o llame al
877-210-2513.

4:07 PM

Saturday, September 3

Ya se inscribio a
PODERsalud? Mas de 375
mil dolares ahorrados por
ahora. Satisfaccion 100%
garantizada o devolvemos
su dinero: <https://sep.im/dgy8dmb>

12:07 PM



10:39 

 79% 

< ⚡ 72237 ▾

⋮

Wednesday, May 11

¡Gane dinero extra en su tiempo libre! Unirse Grupo de Opinión y gane más de \$20 en su primera semana
 ... ¡desde su teléfono!
<https://sep.im/QLm2NTL>

6:46 PM

Thursday, May 12

VALENTIN, la comunidad de SABEResPODER ha ganado cientos de dólares con el Grupo de Opinión. 
¿Qué espera? ¡Únase hoy!
<https://sep.im/QQ9FJGr>

5:27 PM

Friday, May 13

¡Última oportunidad! El Grupo de Opinión de SABEResPODER es una forma rápida de ganar dinero extra en su tiempo libre.  ¡Aprovéchelo!
<https://sep.im/RuBlfqQ>

10:37 AM ▾



EXHIBIT B

9:56 

 *   78%

<  52749 ▼

:

Wednesday, August 31

VALENTIN no espere!
inscribase ahora a
PODERsalud y obtenga
la atencion medica que
necesita y merece hoy <https://sep.im/diMXnul> o llame al
[877-210-2513](tel:877-210-2513).

4:07 PM

Saturday, September 3

Ya se inscribio a
PODERsalud? Mas de 375
mil dolares ahorrados por
ahora. Satisfaccion 100%
garantizada o devolvemos
su dinero: <https://sep.im/dgy8dmb>

12:07 PM

Thursday, September 8

VALENTIN, notamos
que le interesa servicios
bancarios! No espere mas y
solicite su PODERcard hoy
en menos de 3 minutos!
<https://sep.im/ex0wlWE>

1:36 PM



EXHIBIT B

9:58 

 77%

SABEResPODER



QUESTIONS

Questions regarding the SEP Terms or Policy
should be directed to:

SABEResPODER

12121 Wilshire Blvd

Suite 1201

Los Angeles, CA 90025

844-447-2237

844-44SABER

info@saberespoder.com

FOR THE AVOIDANCE OF DOUBT, YOU
ACKNOWLEDGE AND AGREE THAT ANY
DISPUTES UNDER THE SEP TERMS OR
POLICY ARE SUBJECT TO THE LIMITATION
OF LIABILITY PROVISION SECTION OF SEP
TERMS AND POLICY.



Home

Search

Forms

Help

WELCOME TECH, INC. (3168227)

Business Search

*The California Business Search provides access to available information for **corporations, limited liability companies and limited partnerships of record** with the California Secretary of State, with **free PDF copies** of over 17 million imaged business entity documents, including the most recent imaged **Statements of Information filed for Corporations and Limited Liability Companies**.*

*Currently, information for Limited Liability Partnerships (e.g. law firms, architecture firms, engineering firms, public accountancy firms, and land survey firms), General Partnerships, and other entity types are **not contained** in the California Business Search. If you wish to obtain information about LLPs and GPs, submit a Business Entities Order paper form to request copies of filings for these entity types. Note: This search is not intended to serve as a name reservation search. To reserve an entity name, select Forms on the left panel and select Entity Name Reservation ? Corporation, LLC, LP.*

Basic Search

A Basic search can be performed using an entity name or entity number. When conducting a search by an entity number, where applicable, remove "C" from the entity number. Note, a basic search will search only ACTIVE entities (Corporations, Limited Liability Companies, Limited Partnerships, Cooperatives, Name Reservations, Foreign Name Reservations, Unincorporated Common Interest Developments, and Out of State Associations). The basic search performs a contains ?keyword? search. The Advanced search allows for a ? starts with? filter. To search entities that have a status other than active or to refine search criteria, use the Advanced search feature.

Advanced Search

An Advanced search is required when

[Skip to main content](#) State

Request
Certificate

Initial Filing Date

11/12/2008

Status

Active

Standing - SOS

Good

Standing - FTB

Good

Standing - Agent

Good

Standing - VCFCF

Good

Formed In

DELAWARE

Entity Type

Stock Corporation - Out of State - Stock

Principal Address

12121 WILSHIRE BLVD
LOS ANGELES, CA 90025

Mailing Address

12121 WILSHIRE BLVD
LOS ANGELES, CA 90025Statement of Info
Due Date

11/30/2022

Agent

Individual
713801
AMIR HEMMAT
12121 WILSHIRE BLVD
SUITE 1201
LOS ANGELES, CA 90025

View History



Request Access

EXHIBIT D



State of California Secretary of State

Statement of Information

(Foreign Corporation)

FEES (Filing and Disclosure): \$25.00.

If this is an amendment, see instructions.

IMPORTANT – READ INSTRUCTIONS BEFORE COMPLETING THIS FORM

F

GA02920

FILED

In the office of the Secretary of State
of the State of California

OCT-15 2019

1. CORPORATE NAME

SABER ES PODER, INC.

2. CALIFORNIA CORPORATE NUMBER

C3168227

This Space for Filing Use Only

No Change Statement (Not applicable if agent address of record is a P.O. Box address. See instructions.)

3. If there have been any changes to the information contained in the last Statement of Information filed with the California Secretary of State, or no statement of information has been previously filed, this form must be completed in its entirety.

If there has been no change in any of the information contained in the last Statement of Information filed with the California Secretary of State, check the box and proceed to Item 13.

Complete Addresses for the Following (Do not abbreviate the name of the city. Items 4 and 5 cannot be P.O. Boxes.)

4. STREET ADDRESS OF PRINCIPAL EXECUTIVE OFFICE 12121 WILSHIRE BLVD SUITE 1201, LOS ANGELES, CA 90025	CITY	STATE	ZIP CODE
5. STREET ADDRESS OF PRINCIPAL BUSINESS OFFICE IN CALIFORNIA, IF ANY 12121 WILSHIRE BLVD SUITE 1201, LOS ANGELES, CA 90025	CITY	STATE	ZIP CODE
6. MAILING ADDRESS OF THE CORPORATION, IF DIFFERENT THAN ITEM 4	CITY	STATE	ZIP CODE

Names and Complete Addresses of the Following Officers (The corporation must list these three officers. A comparable title for the specific officer may be added; however, the preprinted titles on this form must not be altered.)

7. CHIEF EXECUTIVE OFFICER/ AMIR HEMMAT	ADDRESS 12121 WILSHIRE BLVD SUITE 1201, LOS ANGELES, CA 90025	CITY	STATE	ZIP CODE
8. SECRETARY RAUL LOMELI	ADDRESS 12121 WILSHIRE BLVD SUITE 1201, LOS ANGELES, CA 90025	CITY	STATE	ZIP CODE
9. CHIEF FINANCIAL OFFICER/ RAUL LOMELI	ADDRESS 12121 WILSHIRE BLVD SUITE 1201, LOS ANGELES, CA 90025	CITY	STATE	ZIP CODE

Agent for Service of Process If the agent is an individual, the agent must reside in California and Item 11 must be completed with a California street address, a P.O. Box address is not acceptable. If the agent is another corporation, the agent must have on file with the California Secretary of State a certificate pursuant to California Corporations Code section 1505 and Item 11 must be left blank.

10. NAME OF AGENT FOR SERVICE OF PROCESS

AMIR HEMMAT

11. STREET ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, IF AN INDIVIDUAL 12121 WILSHIRE BLVD SUITE 1201, LOS ANGELES, CA 90025	CITY	STATE	ZIP CODE
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Type of Business

12. DESCRIBE THE TYPE OF BUSINESS OF THE CORPORATION

MEDIA AND ADVERTISING

13. THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT.

10/15/2019	AMIR HEMMAT	CEO	SIGNATURE
DATE	TYPE/PRINT NAME OF PERSON COMPLETING FORM	TITLE	

SI-350 (REV 01/2013)

APPROVED BY SECRETARY OF STATE

EXHIBIT D